

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MUNACHISO UKACHUKWU,

Petitioner,

V.

Case No. C24-6-LK-MLP

ORDER APPOINTING COUNSEL

ICE FIELD OFFICE DIRECTOR,

Respondent.

This is a federal habeas action brought under 28 U.S.C. § 2241. This matter comes before the Court at the present time on Petitioner's motion to appoint counsel. The Court, having reviewed Petitioner's motion, and the balance of the record, hereby finds and ORDERS as follows:

(1) Petitioner’s motion to appoint counsel (dkt. # 10) is GRANTED. While there is no constitutional right to appointment of counsel in actions brought under § 2241, the Court may exercise its discretion to appoint counsel for a financially eligible individual seeking relief under § 2241 where the “interests of justice so require.” 18 U.S.C. § 3006A(2). This Court concludes, based upon its review of the record, that Petitioner is financially eligible for appointment of

1 counsel in this federal habeas proceeding, and that the interests of justice warrant such an
2 appointment given the complexity of the issues raised by Petitioner.

3 (2) This matter is REFERRED to the Office of the Federal Public Defender (“FPD”)
4 for appointment of counsel. If FPD seeks appointment in this matter, counsel shall file a notice of
5 appearance. If FPD determines that it is unable to be appointed in this matter, FPD shall contact
6 the CJA Administrator at waw_cja@fd.org for assignment of counsel.

7 (3) The Clerk is directed to re-note Respondent’s motion to dismiss and return
8 memorandum (dkt. # 6) to be heard on **April 26, 2024**, to allow for the appearance of counsel.

9 (4) The Clerk is directed to send copies of this Order to Petitioner, to the Office of the
10 Federal Public Defender, and to the Honorable Lauren King.

11 Dated this 19th day of March, 2024.

12 
13 MICHELLE L. PETERSON
14 United States Magistrate Judge